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JC17 Rec'd PCT/PTO 27 JUN 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**ATTORNEY DOCKET NO. 065691-0396**

Applicant: Nicole Francine ROUQUET et al.

Title: CALCIUM PHOSPHATE CERAMICS AND PARTICLES  
FOR IN VIVO AND IN VITRO TRANSFECTION

Appl. No.: Unassigned

Filing Date: 06/27/2005

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to  
Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not  
intended as an admission that such document constitutes prior art against the claims of the  
present application or that such document is considered material to patentability as defined in  
37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be  
appropriate to antedate or otherwise remove as a competent reference any document which is  
determined to be a *prima facie* art reference against the claims of the present application.

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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the date of entry of the national stage as set forth in 37 CFR §1.491.

RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding International application. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached. Copies of the documents are not being provided since copies should have been provided directly by WIPO under an exchange program between the PTO, the EPO and the JPO.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

 35,792

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June 27, 2005

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| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b> |   | Application Number     | Unassigned 10/540854           |
| Date Submitted: June 27, 2005                            |   | Filing Date            | 06/27/2005                     |
| (use as many sheets as necessary)                        |   | First Named Inventor   | Nicole Francine ROUQUET et al. |
| Sheet  | 1 | of                     | 1                              |
|  |   | Group Art Unit         | Unassigned                     |
|  |   | Examiner Name          | Unassigned                     |
|  |   | Attorney Docket Number | 065691-0396                    |

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

## NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.      | T <sup>6</sup> |
|--------------------|-----------------------|---|----------------|
|                    | A2                    | GROOT et al., "Calcium Phosphate coatings for Medical Implants," Proceedings of the Institution of Mechanical Engineers, Journal of Engineering in Medicine, Part H. Mechanical Engineering Publications Ltd., Vol. 212, No. H02, 1998, pgs. 137-147, XP-000823765. |                |
|                    | A3                    | ITOKAZU et al., "Synthesis of Antibiotic-Loaded Interporous Hydroxyapatite Blocks by Vacuum Methods and In Vitro Drug Release Testing," Biomaterials, Elsevier Science Publishers, Vol. 19, No. 7-9, April 5, 1998, pgs. 817-819, XP-004120852.                     |                |
|                    | A4                    | JIE et al., "Formation and Characteristics of The Apatite Layer on Plasma-sprayed Hydroxyapatite coatings in Simulated Body Fluid," Biomaterials, Elsevier Science Publishers, Vol. 18, No. 15, August 1, 1997, pgs. 1027-1035, XP-004081226.                       |                |
|                    | A5                    | LABHASETWAR et al., "Gene Transfection Using Biodegradable Nanospheres: Results in tissue Culture and A Rat Osteotomy Model," Colloids and Surfaces B: Biointerfaces, Vol. 16, No.1-4, 1999, pgs. 281-290, XP-002262265.  |                |
|                    | A6                    | PAUL et al., "Development of Porous Spherical Hydroxyapatite Granules: Application Towards Protein Delivery," Journal of Materials Science, Materials in Medicine, Vol. 10, No. 7, pgs. 383-388, XP-002142926.  |                |

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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